

From: Michael Portuesi
To: Microsoft ATR
Date: 1/23/02 11:10pm
Subject: Microsoft Settlement

I am writing concerning the proposed settlement between the Department of Justice and Microsoft corporation.

I believe the settlement to be very inadequate. It contains many loopholes that would enable Microsoft to continue their current predatory business practices, and to extend their monopoly to new markets.

To me, the most troubling aspect of the settlement concerns the rules for Microsoft's disclosure of specifications of its API's, middleware, file formats and protocols to third parties for interoperability. The provisions apply only to other commercial entities; nowhere does it require Microsoft to make these specifications public for access and use by individuals and non-profit developers. Unless we have true open access to the Microsoft specifications, interoperability with their products will never be achieved.

This settlement goes against the spirit of the trial before it, and in many ways devalues the effort that went into the unanimous monopoly ruling. I urge you to reject this proposed settlement, and to urge a settlement that truly addresses the very important issues at the heart of this case.

As a computing professional, I have a vested interest in seeing a healthy computing industry. We will never have that with one company driving all the standards, and hence all the progress in the field. Consumers are the ones who lose the most in the end, through lack of choice and stifling of innovation.

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